

United States District Court
Northern District of Illinois – CM/ECF LIVE, Ver 5.1.1 (Chicago)
CIVIL DOCKET FOR CASE #: 1:12-cv-03199

Rubman v. Napolitano et al
Assigned to: Honorable Robert M. Dow, Jr
Cause: 05:552 Freedom of Information Act

Date Filed: 04/30/2012
Date Terminated: 02/22/2013
Jury Demand: None
Nature of Suit: 895 Freedom of Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff**David Rubman**

represented by **David Rubman**
Rubman and Compennolle
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

Janet Napolitano
Secretary of Homeland Security

represented by **AUSA**
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Defendant

Director Alejandro Mayorkas
Director of U.S. Citizenship and Immigration Services

represented by **AUSA**
(See above for address)

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ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
04/30/2012	<u>1</u>	COMPLAINT filed by David Rubman; Filing fee \$ 350, receipt number 0752-7098950.(Rubman, David) (Entered: 04/30/2012)
04/30/2012	<u>2</u>	CIVIL Cover Sheet (Rubman, David) (Entered: 04/30/2012)
04/30/2012	<u>3</u>	ATTORNEY Appearance for Plaintiff David Rubman by David Rubman (Rubman, David) (Entered: 04/30/2012)

04/30/2012		CASE ASSIGNED to the Honorable Robert M. Dow, Jr. Designated as Magistrate Judge the Honorable Jeffrey Cole. (mh,) (Entered: 04/30/2012)
05/01/2012		SUMMONS Issued as to Alejandro Mayorkas, Janet Napolitano, U.S. Attorney, and U.S. Attorney General (nsf,) (Entered: 05/01/2012)
05/04/2012	<u>4</u>	DESIGNATION of Craig Arthur Oswald as U.S. Attorney for Defendants Alejandro Mayorkas, Janet Napolitano (Oswald, Craig) (Entered: 05/04/2012)
07/02/2012	<u>5</u>	MOTION by Defendants Alejandro Mayorkas, Janet Napolitano for extension of time to file answer (Oswald, Craig) (Entered: 07/02/2012)
07/02/2012	<u>6</u>	NOTICE of Motion by Craig Arthur Oswald for presentment of motion for extension of time to file answer <u>5</u> before Honorable Robert M. Dow Jr. on 7/11/2012 at 09:15 AM. (Oswald, Craig) (Entered: 07/02/2012)
07/09/2012	<u>7</u>	MINUTE entry before Honorable Robert M. Dow, Jr: MOTION by Defendants Alejandro Mayorkas, Janet Napolitano for extension of time <u>5</u> to answer or otherwise plead, to and including 8/6/2012, is granted. Notice of Motion date of 7/11/2012 is stricken and no appearances are necessary on that date. Mailed notice (tbk,) (Entered: 07/09/2012)
07/19/2012	<u>8</u>	MINUTE entry before Honorable Robert M. Dow, Jr: Initial Status hearing set for 8/10/2012 at 09:30 AM. and parties are to report the following: (1) Possibility of settlement in the case; (2) If no possibility of settlement exists, the nature and length of discovery necessary to get the case ready for trial. Plaintiff is to advise all other parties of the courts action herein. Lead counsel is directed to appear at this status hearing. Parties to prepare and submit a joint status report on or before 8/8/2012. (See Judges web page for status report). Mailed notice (tbk,) (Entered: 07/19/2012)
08/06/2012	<u>9</u>	MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM, MOTION by Defendants Alejandro Mayorkas, Janet Napolitano to dismiss for lack of jurisdiction (Attachments: # <u>1</u> Exhibit A-E, # <u>2</u> Exhibit F-J)(Oswald, Craig) (Entered: 08/06/2012)
08/06/2012	<u>10</u>	MEMORANDUM by Alejandro Mayorkas, Janet Napolitano in support of Motion to Dismiss for Failure to State a Claim, motion to dismiss/lack of jurisdiction <u>9</u> (Oswald, Craig) (Entered: 08/06/2012)
08/07/2012	<u>11</u>	NOTICE of Motion by Craig Arthur Oswald for presentment of Motion to Dismiss for Failure to State a Claim, motion to dismiss/lack of jurisdiction <u>9</u> before Honorable Robert M. Dow Jr. on 8/21/2012 at 09:15 AM. (Oswald, Craig) (Entered: 08/07/2012)
08/08/2012	<u>12</u>	STATUS Report by Alejandro Mayorkas, Janet Napolitano, David Rubman (Oswald, Craig) (Entered: 08/08/2012)
08/09/2012	<u>13</u>	MINUTE entry before Honorable Robert M. Dow, Jr: Motion to Dismiss for Failure to State a Claim, motion to dismiss/lack of jurisdiction <u>9</u> is taken under advisement; response due by 8/31/2012; reply due by 9/10/2012; ruling will be by mail. Notice of Motion date of 8/21/2012 is stricken and no appearances are necessary on that date. Status hearing date of 8/10/2012 is stricken. Mailed notice (tbk,) (Entered: 08/09/2012)
08/30/2012	<u>14</u>	First AMENDED complaint by David Rubman against All Defendants (Rubman, David) (Entered: 08/30/2012)
08/31/2012	<u>15</u>	MINUTE entry before Honorable Robert M. Dow, Jr: Status hearing set for 9/13/2012 at 09:00 AM. Mailed notice (tbk,) (Entered: 08/31/2012)
09/13/2012	<u>16</u>	MINUTE entry before Honorable Robert M. Dow, Jr: Status hearing held on 9/13/2012. MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM, MOTION by Defendants Alejandro Mayorkas, Janet Napolitano to dismiss for lack of jurisdiction <u>9</u> is stricken as moot and briefing schedule on said motion is vacated. Defendants are given until 10/11/2012 to file motion to dismiss amended complaint; Plaintiff's response due by 11/8/2012; defendants' reply due by 11/22/2012; ruling will be by mail. Mailed notice (tbk,) (Entered: 09/13/2012)

10/11/2012	<u>17</u>	MOTION by Defendants Alejandro Mayorkas, Janet Napolitano for extension of time (Oswald, Craig) (Entered: 10/11/2012)
10/11/2012	<u>18</u>	NOTICE of Motion by Craig Arthur Oswald for presentment of extension of time <u>17</u> before Honorable Robert M. Dow Jr. on 10/18/2012 at 09:15 AM. (Oswald, Craig) (Entered: 10/11/2012)
10/17/2012	<u>19</u>	MINUTE entry before Honorable Robert M. Dow, Jr: MOTION by Defendants Alejandro Mayorkas, Janet Napolitano for extension of time <u>17</u> to answer or otherwise plead to Plaintiff's amended complaint, to and including 10/22/2012, is granted. Notice of Motion date of 10/18/2012 is stricken and no appearances are necessary on that date. Mailed notice (tbk,) (Entered: 10/17/2012)
10/22/2012	<u>20</u>	MOTION by Defendants Alejandro Mayorkas, Janet Napolitano to dismiss (Oswald, Craig) (Entered: 10/22/2012)
10/22/2012	<u>21</u>	MEMORANDUM by Alejandro Mayorkas, Janet Napolitano in support of motion to dismiss <u>20</u> (Oswald, Craig) (Entered: 10/22/2012)
11/16/2012	<u>22</u>	MINUTE entry before Honorable Robert M. Dow, Jr: MOTION by Defendants Alejandro Mayorkas, Janet Napolitano to dismiss <u>20</u> is taken under advisement; plaintiff's response to motion to dismiss due by 12/7/2012; defendants' reply due by 12/21/2012; ruling will be by mail. Mailed notice (tbk,) (Entered: 11/16/2012)
12/07/2012	<u>23</u>	MEMORANDUM by David Rubman in Opposition to motion to dismiss <u>20</u> (Rubman, David) (Entered: 12/07/2012)
12/21/2012	<u>24</u>	MOTION by Defendants Alejandro Mayorkas, Janet Napolitano for extension of time to file answer regarding memorandum in opposition to motion <u>23</u> (Oswald, Craig) (Entered: 12/21/2012)
12/21/2012	<u>25</u>	NOTICE of Motion by Craig Arthur Oswald for presentment of motion for extension of time to file answer, motion for relief <u>24</u> before Honorable Robert M. Dow Jr. on 1/8/2013 at 09:15 AM. (Oswald, Craig) (Entered: 12/21/2012)
01/02/2013	<u>26</u>	MINUTE entry before Honorable Robert M. Dow, Jr: Defendants' agreed motion for extension of time <u>24</u> is granted. Defendants are given to January 22, 2013, to file their reply brief in support of their motion to dismiss. Notice of motion date of 1/8/2013 is stricken and no appearances are necessary on that date. Mailed notice (tbk,) (Entered: 01/02/2013)
01/22/2013	<u>27</u>	MOTION by Defendants Alejandro Mayorkas, Janet Napolitano for extension of time (Oswald, Craig) (Entered: 01/22/2013)
01/22/2013	<u>28</u>	NOTICE of Motion by Craig Arthur Oswald for presentment of extension of time <u>27</u> before Honorable Robert M. Dow Jr. on 1/29/2013 at 09:15 AM. (Oswald, Craig) (Entered: 01/22/2013)
01/25/2013	<u>29</u>	MINUTE entry before Honorable Robert M. Dow, Jr: MOTION by Defendants Alejandro Mayorkas, Janet Napolitano for extension of time <u>27</u> to file reply brief until 2/12/2013, is granted. Notice of Motion date of 1/29/2013 is stricken and no appearances are necessary on that date. Mailed notice (tbk,) (Entered: 01/25/2013)
02/12/2013	<u>30</u>	REPLY by Defendants Alejandro Mayorkas, Janet Napolitano to motion to dismiss <u>20</u> (Attachments: # <u>1</u> Declaration)(Oswald, Craig) (Entered: 02/12/2013)
02/21/2013	<u>31</u>	NOTICE of Voluntary Dismissal by David Rubman (Rubman, David) (Entered: 02/21/2013)
02/22/2013	<u>32</u>	MINUTE entry before Honorable Robert M. Dow, Jr: Pursuant to Fed.R.Civ. P. 41(a)(1)(a), Plaintiff Rubman voluntarily dismisses his case without prejudice. MOTION by Defendants Alejandro Mayorkas, Janet Napolitano to dismiss <u>20</u> is stricken as moot. Mailed notice (tbk,) (Entered: 02/22/2013)